

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**HUGH B. HENDERSON**

**PLAINTIFF**

**v.**

**No. 3:20-CV-182-NBB-RP**

**MHM HEALTH PROFESSIONALS, LLC, et al.**

**DEFENDANT**

**ORDER GRANTING MOTION TO SUBSTITUTE PARTY**

Before the court is the motion of Hugh B. Henderson to have himself substituted for the deceased plaintiff, Susan Henderson, pursuant to Federal Rule of Civil Procedure 25(a). In support of his motion, Hugh Henderson presents documentation that he has been named as the administrator of Susan Henderson's estate and is thus the proper party to be substituted under Rule 25(a).<sup>1</sup> The time for a response to the motion has passed and may therefore be treated as unopposed. *See* L.U.Civ.R. 7(b)(3)(E). The court finds the motion is well taken and should be granted.

Hugh B. Henderson, as administrator of the estate of Susan Henderson, is substituted as the plaintiff in place of Susan Henderson. The Clerk of Court is directed to note the substitution on the docket, and the parties are directed to observe this change in future filings.

**SO ORDERED**, this the 1st day of February, 2022.

/s/ Roy Percy  
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UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> *See* MISS. CODE ANN. § 91-7-237 ("When either of the parties to any personal action shall die before final judgment, the executor or administrator of such deceased party may prosecute or defend such action, and the court shall render judgment for or against the executor or administrator."); *see also Ashley v. Illinois Cent. Gulf R.R. Co.*, 98 F.R.D. 722, 724 (S.D. Miss. 1983) (finding that the proper party for substitution before the distribution of an estate is the executor or administrator of the estate of the deceased).